BOARD OF ADJUSTMENT

Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING February 27, 2008

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO. THE APPLICANT

C10-08-02 TUCSON OLD PUEBLO CREDIT UNION (TOPCU) BROADWAY BRANCH/TOPCU, 9725 EAST BROADWAY BOULEVARD, C-1

The applicant's property is an undeveloped 2.42 acre east of Harrison Road on the northwest corner of east Broadway Boulevard and north Stoner Avenue and is zoned C-1 "Commercial". The applicant proposes to construct a 4,390 square foot building for a financial institution use. The proposed development requires compliance with all Tucson Land Use Code (LUC) criteria applicable to new construction. LUC Sections applicable to this project include, but are not limited to the following: Section 2.5.3 which provides the development criteria applicable to commercial development in the "C-1" commercial zone and Section 3.7.2 which provides the screening requirements for the proposed use. The applicant is requesting the following variance: Delete the five (5') foot high masonry perimeter screen wall required along Stoner Avenue, as shown on the submitted plans.

DECISION: VARIANCE GRANTED SUBJECT TO THE FOLLOWING CONDITION:

A. Augment the landscape border along Stoner Avenue with two (2) each of the following species to be planted every ten (10') feet: Leucophyllum Candidum, Leucophyllum Frutescens, Myrtle Communis, and Ruellia Peninsularis.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD' DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION WHICH PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Connie Munguia, Secretary Board of Adjustment

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